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UNCLAS ANKARA 004094

SIPDIS

E.O. 12958: N/A

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SUBJECT: EXBS: U.S. COMMENTS ON NP COOPERATION AND
ASSISTANCE AGREEMENT DELIVERED

REF: STATE 156979

1. Post delivered the U.S. text of the EXBS agreement and reftel talking points to the MFA on July 20. MFA Acting DDG for Disarmament Bulent Meric agreed to consider the two proposed changes to the last Turkish draft.

2. Meric did not evince significant concern with the change in Article 3, since the GOT will still be able to assess the reasonableness of any request. However, regarding the additional point in Article 5, Meric said a perpetual clause in an international agreement was not possible under Turkish law. We emphasized that this point was required by our government for all grants to foreign governments and that without it goods or services could not be delivered. We pointed out that without this over-arching clause, each individual contractual grant agreement will need to contain this provision. We compared this to the third-country assurances the USG requires when providing military equipment and encouraged Meric to look at this precedent when considering the Article 5 proposal.

3. Meric said he would consult with the relevant officers and agencies and would respond to Post as soon as all comments were received.

DEUTSCH